

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

INACOM CORP., et al.

Plaintiffs

v.

DELL COMPUTER CORP.

Defendant

Civil Action No. 04-CV-582 (GMS)

INACOM CORP., et al.

Plaintiffs

v.

LEXMARK INTERNATIONAL, INC.

Defendant

Civil Action No. 04-CV-583 (GMS)

INACOM CORP., et al.

Plaintiffs

v.

INGRAM ENTERTAINMENT INC.

Defendant

Civil Action No. 04-CV-593 (GMS)

**ORDER GRANTING DEFENDANTS' MOTION TO EXCLUDE
THE EXPERT TESTIMONY AND REPORT OF STUART A. GOLLIN**

Upon the application of Defendants Dell Computer Corp. ("Dell"), Lexmark International, Inc. ("Lexmark") and Ingram Entertainment Inc. ("Ingram") (collectively "Defendants") to exclude the expert testimony and report of Stuart A. Gollin and the Court being duly and sufficiently advised,

IT IS ORDERED that the expert testimony and report of Stuart A. Gollin is excluded from and will not be admitted at trial because they are not sufficiently reliable and relevant to satisfy the standards of Federal Rule of Evidence 702, *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), as made applicable to non-scientific expert testimony by *Kumho Tire Company v. Carmichael*, 526 U.S. 137 (1999).

Dated: _____, 2005.

Gregory M. Sleet, Judge
United States District Court
District of Delaware